

116TH CONGRESS
1ST SESSION

S. 2090

To direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2019

Ms. CORTEZ MASTO (for herself, Mr. BLUMENTHAL, Mr. CASEY, Mr. VAN HOLLEN, and Ms. HIRONO) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abuse of the Pardon
5 Prevention Act”.

6 **SEC. 2. CONGRESSIONAL OVERSIGHT RELATING TO CER-**
7 **TAIN PARDONS.**

8 (a) SUBMISSION OF INFORMATION.—In the event
9 that the President grants an individual a pardon for an

1 offense against the United States that arises from an in-
2 vestigation in which the President, or a relative of the
3 President, is a target, subject, or witness, not later than
4 30 days after the date of such pardon, the Attorney Gen-
5 eral shall submit to the chairmen and ranking members
6 of the appropriate congressional committees all materials
7 of an investigation that were obtained by a United States
8 Attorney, another Federal prosecutor, or an investigative
9 authority of the Federal Government, relating to the of-
10 fense for which the individual is so pardoned.

11 (b) TREATMENT OF INFORMATION.—Rule 6(e) of the
12 Federal Rules of Criminal Procedure may not be con-
13 strued to prohibit the disclosure of information required
14 by subsection (a) of this section.

15 (c) APPLICABILITY.—Subsection (a) shall apply with
16 respect to a pardon granted by the President on or after
17 January 20, 2017.

18 (d) DEFINITIONS.—In this section:

19 (1) The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on the Judiciary of the
22 House of Representatives and the Committee
23 on the Judiciary of the Senate; and

24 (B) if an investigation relates to intel-
25 ligence or counterintelligence matters, the Per-

1 manent Select Committee on Intelligence of the
2 House of Representatives and the Select Com-
3 mittee on Intelligence of the Senate.

4 (2) The term “pardon” includes a commutation
5 of sentence.

6 (3) The term “relative” has the meaning given
7 that term in section 3110(a) of title 5, United
8 States Code.

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